

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Rick James Morse

Serial No.: not yet known

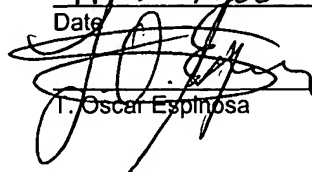
Group Art Unit: not yet known

Filed: herewith

Examiner: not yet known

For: CLAPBOARD SIDING PANEL WITH BUILT IN FASTENER SUPPORT

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" Mailing Label Number . EV306256815US to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

11/26/2003
Date

T. Oscar Espinosa

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR. § 1.56 in connection with the above-identified application, which statement is being filed:

- ☒ [X] Together with the present application.
- ☐ [] Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. [37 CFR § 1.97(b)]
- ☐ [] After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. [37 CFR § 1.97(c)]

- ☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. [37 CFR § 1.97(d)]

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ No separate requirements are needed.

☒ No additional fee is required.

☐ **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☐ **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☐ **Certification Under 37 CFR § 1.97(e)**

- ☐ Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Provision of Copies of References

☒ A copy of each of the non-U.S. patent references listed on the attached Form PTO-1449 is enclosed herewith and forms a part hereof.

☐ A partial translation of reference is enclosed herewith and forms a part hereof.


- ☐ A copy of the Search Report from a corresponding British application is enclosed herewith.
- ☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). . The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- ☒ The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679. A duplicate copy of this transmittal is attached.

Respectfully submitted,

DATE: 11/26/03



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Form PTO-1449 Modified List of Patent and Publications Cited by Application (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. D0932-00428	Serial No.
	Applicant Morse, Rick James	
	Filing Date November 26, 2003	Group

U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	A	1,447,567	03/06/1923	Overbury		
	B	1,495,070	05/20/1924	Finley		
	C	1,732,403	10/22/1929	Harris et al.		
	D	1,787,163	12/30/1930	New		
	E	1,872,185	08/16/1932	Reade		
	F	1,959,960	05/22/1934	Magrath	18	48
	G	2,142,181	01/03/1939	Croce	108	7
	H	2,149,741	03/07/1939	Miles	20	5
	I	2,171,010	08/29/1939	Schuetz et al.	108	7
	J	2,174,098	09/26/1939	Stein	108	7
	K	2,187,203	01/16/1940	Johnston	108	8
	L	2,199,760	05/07/1940	Schuetz	108	7
	M	2,206,042	07/02/1940	Novak	154	2
	N	2,238,017	04/08/1941	Duncan	154	2
	O	2,560,521	07/10/1951	Camp et al.	154	86
	P	2,633,441	03/31/1953	Guttreass	154	87
	Q	2,954,302	09/27/1960	Gorman, Jr.	117	60
	R	3,185,297	05/25/1965	Rutledge	206	59
	S	3,284,980	11/15/1966	Dinkel	52	600
	T	3,289,371	12/06/1966	Pearson et al.	52	338
	U	3,391,037	07/02/1968	McNulty	156	41
	V	3,607,486	09/21/1971	Jacks, et al	156	41
	W	3,608,261	09/28/1971	French et al.	52	316
	X	3,766,003	10/16/1973	Schuller et al.	162	156
	Y	3,830,687	08/20/1974	Re et al.	161	168
	Z	3,868,300	02/25/1975	Wheeler	164	124

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Examiner Initial		Document No.	Date	Country	YES	Translation NO
	A	CA 721719	11/16/1965	Canada	X	
	B	CA 794590	09/17/1968	Canada	X	
	C	CA 993779	7/27/1976	Canada	X	

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	A	Marikunte, et al., Statistical Evaluation of Long-Term Durability Characteristics of Cellulose Fiber Reinforced Cement Composites, ACI Materials Journal/November-December 1994
	B	F. Bakula, et al., The Study of Autoclaved Cellulose Fiber-Reinforced Cement Composites, Cement and Concrete Research, Vol. 25, No. 1, pp. 71-78, 1995
	C	Wierman, et al., The Effects of Pressure on the Freeze-Thaw Durability of Fiber-Reinforced Cement Board, pp 1-14

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U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	AA	3,927,501	12/23/1975	Allen et al.	52	555
	AB	3,929,947	12/30/1975	Schwartz et al.	264	42
	AC	3,935,021	01/27/1976	Greve et al.	106	111
	AD	3,941,632	03/02/1976	Swedenberg et al.	156	71
	AE	3,944,698	03/16/1976	Dierks et al.	428	219
	AF	3,947,398	03/30/1976	Williams	260	29.6
	AG	3,993,822	11/23/1976	Knauf et al.	428	213
	AH	4,015,391	04/05/1977	Epstein et al.	52	520
	AI	4,020,237	04/26/1977	Von Hazmburg	428	535
	AJ	4,040,851	08/09/77	Ziegler		
	AK	4,047,355	09/13/1977	Knorr	52	738
	AL	4,065,333	12/27/1977	Lawlis et al.	156	40
	AM	4,065,597	12/27/1977	Gillespie	428	285
	AN	4,073,997	02/14/1978	Richards et al.	428	285
	AO	4,112,174	09/05/1978	Hannes et al.	428	220
	AP	4,128,699	12/05/1978	Kole et al.	428	498
	AQ	4,135,029	01/16/1979	Pfeffer	428	284
	AR	4,148,781	04/10/1979	Narukawa et al.	260	42.51
	AS	4,181,767	01/01/1980	Steinau	428	219
	AT	4,187,130	02/05/1980	Kautz	156	42
	AU	4,195,110	03/25/1980	Dierks et al.	428	218
	AV	4,203,788	05/20/1980	Clear	156	44
	AW	4,242,406	12/30/1980	El Bouhnini et al.	428	236
	AX	4,263,365	04/21/1981	Burgess et al.	428	310
	AY	4,265,979	05/05/1981	Baehr et al.	428	171
	AZ	4,288,959	09/15/1981	Murdock	52	518
	BA	4,296,169	10/20/1981	Shannon	428	298

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	D	DE 1 033 133 B1	6/8/1955	Germany		X
	E	DE 1 223 287 B1	8/27/1965	Germany		X
	F	DE 1 509 853 B1	4/13/1963	Germany		X

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	D	Cedar Valley Handy Panels, Cedar Valley Shingle Systems, 1998, Trade Literature
	E	Cemtrim Premium Fiber-Cement Trim, Trade Literature
	F	Azek Trimboards, Vycom Corp. Trade Literature

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Examiner Initial		Document No.	Date	Name	Class	Subclass
	CQ	5,704,179	01/06/1998	Lehnert et al.	52	408
	CR	5,718,785	02/17/1998	Randall	156	39
	CS	5,772,846	06/30/1998	Jaffee	162	145
	CT	5,791,109	08/11/1998	Lehnert et al.	52	309.17
	CU	5,830,548	11/03/1998	Andersen et al.	428	36.4
	CV	5,897,108	04/27/1999	Gordon et al.	269	50
	CW	5,906,364	05/25/1999	Thompson et al.	269	22
	CX	5,945,182	08/31/1999	Fowler et al.	428	34
	CY	5,981,406	11/09/1999	Randall	442	71
	CZ	5,993,303	11/30/1999	Fladgard et al.	451	356
	DA	6,029,966	02/29/2000	Hertz et al.	269	266
	DB	6,276,107	08/21/2001	Waggoner et al.	52	554
	DC	6,293,534	09/25/2001	Leban	269	309
	DD	6,341,458	01/29/2002	Burt	52	287.1
	DE	6,354,049	03/12/2002	Bennett	52	287.1
	DF	6,358,585	03/19/2002	Wolff	428	36.6
	DG	6,367,222	04/09/2002	Timbrel et al.	52	555
	DH	4,079,562	03/21/1978	Englert et al.		
	DI	4,854,101	08/08/1989	Champagne		
	DK	5,634,314	06/03/1997	Champagne		
	DL	6,367,220	04/09/2002	Krause et al.		
	DM	5,410,852	05/02/1995	Edgar et al.		

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	S	JP 2141484A2	05/30/1990	Japan	Abstract	
	T	JP 7187748A2	07/25/1995	Japan	Abstract	
	U	JP 5147997A2	06/15/1993	Japan	Abstract	
	V	JP 6008219A2	01/18/1994	Japan	Abstract	
	W	JP 6001679A2	01/11/94	Japan	Abstract	
	X	JP 3208871A2	09/12/1991	Japan	Abstract	
	Y	WO9957392A1	11/11/1999	EPO	Abstract	
	Z	AU 98885 S	12/03/1997	Australia		

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	Y	Wierman and Shah " The Effects of Pressure on the Freeze-Thaw Durability of Fiber-Reinforced Cement Board," in Inorganic-Bonded Wood and Fiber Composite Materials, Vol. 8, pp 192-205, Sept 2002
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Examiner Initial		Document No.	Date	Name	Class	Subclass
	CF	5,220,762	06/22/1993	Lehnert et al.	52	408
	CG	5,319,900	06/14/1994	Lehnert et al.	52	408
	CH	5,342,680	08/30/1994	Randall	428	285
	CI	5,371,989	12/13/1994	Lehnert et al.	52	309.17
	CJ	5,397,631	03/14/1995	Green et al.	428	219
	CK	5,401,588	03/28/1995	Garvey et al.	428	703
	CL	5,439,518	08/08/1995	Francis et al.	106	705
	CM	5,501,056	03/26/1996	Hannah et al.	52	748.1
	CN	5,601,888	02/11/1997	Fowler	428	34
	CO	5,614,307	03/25/1997	Andersen et al.	428	294.7
	CP	5,644,880	07/08/1997	Lehnert et al.	52	408

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Examiner Initial		Document No.	Date	Country	Translation	
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	J	GB 772 581 A	4/17/1957	Great Britain	X	
	KL	GB 1 204 541 A	9/9/1970	Great Britain	X	
	M	GB 1 520 241 A	9/12/1978	Great Britain	X	
	N	GB 2 004 807 A	04/11/1979	Great Britain	X	
	O	GB 2 103 563 A	02/23/1983	Great Britain	X	
	P	04189937	06/23/1992	Japan	Abstract	
	Q	04189938	06/23/1992	Japan	Abstract	
	R	03337538	11/26/1991	Japan	Abstract	

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	J	James Hardie Siding Products, Fact Sheet James Hardie Building Products U.S. Siding Operations and Products, 4/25/02, Trade Literature
	K	What's New, James Harding Building Products Buys Cemplank Plants, Cemplank, 4/25/02, Trade Literature
	L	Multishake, MaxiTile, 4/25/02, Trade Literature
	M	MIRATEC™ Treated Exterior Composite TRIM, Trade Literature
	N	American Classics, Maibec, Trade Literature
	O	TruWood® Manufactured by Collins Products LLC Siding, Trade Literature
	P	Snapper Siding is Really Great Shakes, Pacific International Siding Co., Trade Literature
	Q	Technical Bulletin 2004, Fancy Cuts Panel, Shakertown 1992, Inc., Trade Literature
	R	Cement Boards, NERAC, Inc., June 20, 2002
	S	Owens Corning Exterior System, 9/10/00, Trade Literature
	T	Cedar Valley Shingle Siding Panels, Cedar Valley Shingle Systems, 1999, Trade Literature
	U	Rhoplex®E-330 Cement Mortar Modifier, Rohm and Haas Company, 1997, Trade Literature
	V	Weather Boards, Fibercement Siding, CertainTeed, 11/2001, Trade Literature
	W	"Standard Test Methods of Conducting Strength Tests of Panels for Building Construction," ASTM< Designation: E72-98, ASTM, June 1998, pp. 539-549
	X	Lstiburek, Joseph, "Water-Managed Wall Systems," Journal of Light Construction, March 2003

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	BB	4,303,722	12/01/1981	Pilgrim	428	213
	BC	4,324,082	04/13/1982	Rutkowski et al.	52	481
	BD	4,335,177	06/15/1982	Takeuchi	428	247
	BE	4,344,804	08/17/1982	Bijen et al.	156	42
	BF	4,344,910	08/17/1982	Bijen	264	257
	BG	4,351,867	09/28/1982	Mulvey et al.	428	70
	BH	4,361,616	11/30/1982	Bomers	428	215
	BI	4,363,666	12/14/82	Johnson et al.		
	BJ	4,364,212	12/21/1982	Pearson et al.	52	281
	BK	4,366,197	12/28/1982	Hanlon et al.	428	43
	BL	4,378,405	03/29/1983	Pilgrim	428	322.7
	BM	4,403,006	09/06/1983	Bruce et al.	428	70
	BN	4,428,775	01/31/84	Johnson et al.		
	BO	4,437,274	03/20/1984	Slocum et al.	52	105
	BP	4,468,909	09/04/1984	Eaton	52	541
	BQ	4,477,300	10/16/1984	Pilgrim	156	44
	BR	4,504,533	03/12/1985	Altenhofer et al.	428	70
	BS	4,506,060	03/19/1985	White Sr. et al.	525	163
	BT	4,543,159	09/24/85	Johnson et al.		
	BU	4,571,356	02/18/1986	White Sr. et al.	428	143
	BV	4,637,860	01/20/1987	Harper et al.	162	117
	BW	4,647,496	03/03/1987	Lehnert et al.	428	251
	BX	4,664,707	05/12/1987	Wilson et al.	106	18.11
	BY	4,681,802	07/21/1987	Gaa et al.	428	288
	BZ	4,722,866	02/02/1988	Wilson et al.	428	411.1
	CA	4,810,569	03/07/1989	Lehnert et al.	428	285
	CB	4,810,576	03/07/1989	Gaa et al.	428	391
	CD	4,811,538	03/14/1989	Lehnert et al.	52	455
	CE	5,148,645	09/22/1992	Lehnert et al.	52	443

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Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	G	DE 28 08 723 A1	3/1/1979	German	X	
	H	EP 0 148 760 A2	07/17/1985	Europe	X	
	I	EP 0 148 761 A2	07/17/1985	Europe	X	

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	G	Royal Wood® Precision Composites, Inc. Trade Literature
	H	HardiTRIM HLD™ Technology Exterior Trim, James Harding Siding Products, 1999, Trade Literature
	I	Active Minerals Company LLC, Acti-Gel™208 Features & Benefits, Jan 15, 2002, Trade Literature

EXAMINER

DATE CONSIDERED